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STATUS AND ENTITY
BR. PATENT
P56206

2004 MAR 31 AM 10:46

2004 MAR 29 PM 4:57

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US PATENT & TRADEMARK
OFFICE

In re Application of:

Richard Hyatt *et al.*

Serial No.: 09/822,852

Examiner : Donovan, L. D.

Filed: 2 April 2001

Art Unit: 2832

For: ELECTRONIC CAM ASSEMBLY

REQUEST FOR REFUND

Mail Stop : 16

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir :

Applicants respectfully request refund in the amount of **\$54.00 for extra claims fee** previously paid to the U.S. Patent & Trademark Office on 3 January 2003 in the above-captioned application for the reason as follows:

1. On 16 December 2002, Restriction Requirement (Paper No. 11) was mailed.
2. On 3 January 2003, Applicants timely filed an Amendment and Response to Restriction Requirement (Paper No. 11) mailed on 16 December 2002. In this Amendment, Applicants have added new claims 28-33 and paid \$54.00 (Check No. 43556) for extra claims fee.

Adjustment date: 04/12/2004 SDIRETA1
01/06/2003 REBERNE 00000138 09822852
01 FC:2202 -54.00 DP

-1-


Repln. Ref: 04/12/2004 SDIRETA1 0008460800
DAN:024943 Name/Number:09822852
FC: 3E04 \$54.00 CR

3. On 8 January 2003, Applicants filed a Supplemental Response which is supplemental to Amendment filed on 3 January 2003, in response to Restriction Requirement (Paper No. 11) mailed on 16 December 2002.
4. On 16 July 2003, non-final Office action (Paper no.13) stating that "claims 1-27 are pending in the application" and was mailed.

As explained above, the Examiner failed to enter an Amendment filed on 3 January 2003. In view of this fact, \$54.00 for extra claims fee paid on 3 January 2003 should be refunded to Applicant's undersigned Attorney's Deposit Account No. 02-4943.

Please refer the attached documents for the above-referenced patent application.

Respectfully submitted,


Robert E. Bushnell
Attorney for Applicant
Reg. No.: 27,774

1522 K. Street, N.W. Suite 300
Washington, D.C. 20005-1202
(202) 408-9040

Enclosures: 1) Copy of front and back side of Check No. 43556 in the amount of \$54.00
2) Copy of fee transmittal and copy of postcard stamped 1/3/2003
3) Copy of Office action (Paper No. 13) mailed on 16 July 2003

Folio: P56206

Date: 3/25/04

ID: REB/rfc

STATUS AND
BRANCH
2004 MAR 29 PM 4:57



FEE TRANSMITTAL

Patent fees are subject to annual revision.

Complete If Known

Application Number	09/822,852
Filing Date	16 January 2004
First Named Inventor	RICHARD G. HYATT <i>et al.</i>
Examiner Name	DONOVAN, LINCOLN D.
Group/Art Unit	2832
Attorney Docket No.	P56206CIP

TOTAL AMOUNT OF PAYMENT

(\$) 649.00

METHOD OF PAYMENT (check one)

☒ I.

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 02-4943
Deposit Account Number:

☐ Charge Any Additional Fee Required Under 37 C.F.R. §1.16 and 1.17.

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

(CHECK #45184)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	\$
1002	340	2002	170	Design filing fee	\$
1003	530	2003	265	Plant filing fee	\$
1004	770	2004	385	Reissue filing fee	\$
1005	160	2005	80	Provisional filing fee	\$
SUBTOTAL (1)					(\$).00

2. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid
Total claims		-20 ⁰⁰ =	5	x	9	= \$45.00
Independent Claims		-3 ⁰⁰ =	3	x	43	= \$129.00
Multiple Dependent						=
⁰⁰ or number previously paid, if greater; For Reissues, see below						
Large Entity		Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		
1201	86	2201	43	Independent claims in excess of 3		
1202	18	2202	9	Claims in excess of 20		
1203	290	2203	145	Multiple dependent claim, if not paid		
1204	86	2204	43	⁰⁰ Reissue independent claims over original patent		
1205	18	2205	9	⁰⁰ Reissue claims in excess of 20 and over original patent		

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge-late filing fee or oath	\$
1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$
1812	2,520	1812	2,520	For filing a request for reexamination	\$
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	\$
1805	1,840 *	1805	1,840*	Requesting publication of SIR after Examiner action	\$
1251	110	2251	55	Extension for reply within first month	\$
1252	420	2252	210	Extension for reply within second month	\$
1253	950	2253	475	Extension for reply within third month	\$475.00
1254	1,480	2254	740	Extension for reply within fourth month	\$
1255	2,010	2255	1,005	Extension for reply within fifth month	\$
1401	330	2401	165	Notice of Appeal	\$
1402	330	2402	165	Filing a brief in support of an appeal	\$
1403	290	2403	145	Request for oral hearing	\$
1451	1,510	1451	1,510	Petition to institute a public use proceeding	\$
1452	110	2452	55	Petition to revive - unavoidable	\$
1453	1,330	2453	665	Petition to revive - unintentional	\$
1501	1,330	2501	665	Utility issue fee (or reissue)	\$
1502	480	2502	240	Design issue fee	\$
1503	640	2503	320	Plant issue fee	\$
1504	300	1504	300	Publication fee	\$
1460	130	1460	130	Petitions to the Commissioner	\$
1807	50	1807	50	Processing fee for provisional applications	\$
1806	180	1806	180	Submission of Information Disclosure Statement	\$
8021	40	8021	40	Recording each patent assignment per property (Times number of properties)	\$
1809	770	2809	385	Filing a submission after final rejection (37 C.F.R. §1.129(a))	\$
1810	770	2810	385	For each additional invention to be examined (37 C.F.R. §1.129(b))	\$
1801	770	2801	385	Request for Continued Examination (RCE)	\$
Other Fee (specify) _____					\$
Other Fee (specify) _____					\$

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SUBTOTAL (3) \$475.00

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name	Robert E. Bushnell, Esq.		Reg. Number	27,774
Signature	<i>Robert E. Bushnell</i>	Date	16 January 2004	Deposit Account User ID

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P56206

3 January 2003

In re Application of
Applicant: Richard G. Hyatt Jr. et al.
Serial No.: 09/822,852
Filed: 2 April 2001
For: ELECTRONIC CAM ASSEMBLY

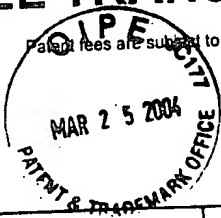
Documents filed:

1. **Amendment** and Response to Restriction Requirement in response to Paper No. 11 dated 16 December 2002
2. Fee Transmittal and Check #43556 in the amount of \$54.00 for extra claims



FEE TRANSMITTAL

Patent fees are subject to annual revision.



Complete If Known

Application Number	09/822,852
Filing Date	2 April 2001
First Named Inventor	RICHARD G. HYATT, JR., et al.
Examiner Name	DONOVAN, LINCOLN D.
Group/Art Unit	2832
Attorney Docket No.	P56206

TOTAL AMOUNT OF PAYMENT (\$ 54.00)

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 02-4943
Deposit Account Number: _____

- ☐ Charge Any Additional Fee Required Under 37 C.F.R. §1.16 and 1.17.

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: (CHECK #43556)

- ☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	\$
106	330	206	165	Design filing fee	\$
107	510	207	255	Plant filing fee	\$
108	740	208	370	Reissue filing fee	\$
114	160	214	80	Provisional filing fee	\$
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total claims - 20 =	16	169	54.00
Independent Claims - 3 =	0	x	0.00

Multiple Dependent

** or number previously paid, if greater; For Reissues, see below

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 54.00)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge-late filing fee or oath	\$
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For filing a request for reexamination	\$
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$
115	110	215	55	Extension for reply within first month	\$
116	400	216	200	Extension for reply within second month	\$
117	920	217	460	Extension for reply within third month	\$
118	1,440	218	720	Extension for reply within fourth month	\$
128	1,960	228	980	Extension for reply within fifth month	\$
119	320	219	160	Notice of Appeal	\$
120	320	220	160	Filing a brief in support of an appeal	\$
121	280	221	140	Request for oral hearing	\$
138	1,510	138	1,510	Petition to institute a public use proceeding	\$
140	110	240	55	Petition to revive - unavoidable	\$
141	1,280	241	640	Petition to revive - unintentional	\$
142	1,280	242	640	Utility issue fee (or reissue)	\$
143	460	243	230	Design issue fee	\$
144	620	244	310	Plant issue fee	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Petitions related to provisional applications	\$
126	180	126	180	Submission of Information Disclosure Statement	\$
581	40	581	40	Recording each patent assignment per property (Times number of properties)	\$
146	740	246	370	Filing a submission after final rejection (37 C.F.R. §1.129(a))	\$
149	740	249	370	For each additional invention to be examined (37 C.F.R. §1.129(b))	\$

Other Fee (specify) _____

Other Fee (specify) _____

** Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$00.00

SUBMITTED BY

Typed or Printed Name

Robert E. Bushnell, Esq.

Reg. Number

27,774

Signature

Originally signed

Date

3 January 2003

Deposit Account User ID

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ROBERT E. BUSHNELL

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15-7011/2540

43556

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for Patents and Trademarks
Washington
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250257241 060 0885 1903 20 25

P56206

Robert E. Bushnell

MEMO

09/822.852 (AU2832) claim

⑈043556⑈

⑈254070116⑈

⑈1510⑈

⑈1915⑈

⑈0000005400⑈

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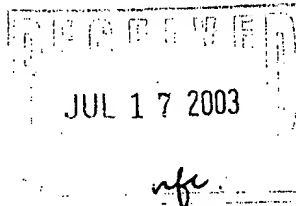
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2004 MAR 29 PM 4:58

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,852	04/02/2001	Richard G. Hyatt JR.	P56206	7184

7590 07/16/2003
Robert E. Bushnell
Suite 300
1522 K Street, N.W.
Washington, DC 20005



EXAMINER

DONOVAN, LINCOLN D

ART UNIT PAPER NUMBER

2832

DATE MAILED: 07/16/2003

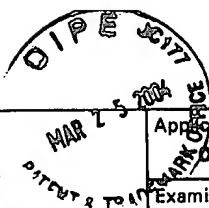
O. A. Due

16 October 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY

Office Action Summary



Application No. 09/822,852

Applicant(s)

Hyatt Jr. et al.

Examiner
Lincoln Donovan

Art Unit 2832



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

2004 MAR 29 PM 4:58

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

COPY

- 1) ☒ Responsive to communication(s) filed on interview of 01-08-03
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5
- ☒ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: